

ORIGINAL

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COGENT CAPITAL INVESTMENTS, LLC; COGENT  
CAPITAL GROUP, LLC; GREGORY L. KOFFORD;  
MARK W. HOLDEN

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

INNOFONE.COM INCORPORATED, a  
Nevada Corporation

Plaintiff,

v.

COGENT CAPITAL FINANCIAL, LLC, a  
Delaware Limited Liability Company;  
COGENT CAPITAL INVESTMENTS,  
LLC, a Delaware Limited Liability  
Company; COGENT CAPITAL GROUP,  
LLC, a Delaware Limited Liability  
Company; GREGORY L. KOFFORD, an  
individual; MARK W. HOLDEN, an  
individual; INVESTORS BANK & TRUST  
COMPANY, a Massachusetts Trust  
Company,

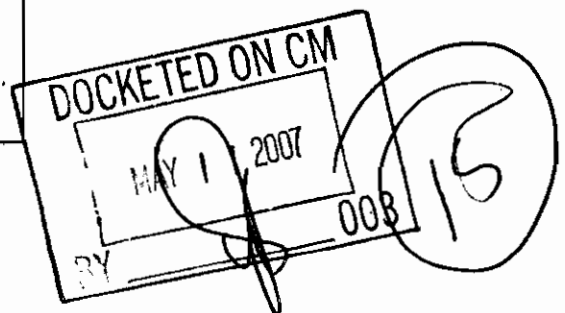
Defendants.

Case No. CV-07-1793 (FMOx)

Honorable Dean D. Pregerson

**JOINT STIPULATION AND  
[PROPOSED] ORDER RE  
BRIEFING SCHEDULE ON  
DEFENDANTS' MOTION  
TO DISMISS**

Complaint filed: March 19, 2007  
Trial Date: None Set



STIPULATION

WHEREAS on March 19, 2007, Plaintiff Innofone.com, Incorporated ("Innofone") commenced this action and served Defendants Cogent Capital Financial LLC, Cogent Capital Investments LLC, Cogent Capital Group, LLC, Gregory L. Kofford, and Mark W. Holden (collectively, the "Cogent Defendants");

WHEREAS, at the Cogent Defendants' request, Innofone has agreed to extend their time to answer or otherwise respond to the Complaint; and

WHEREAS Innofone and the Cogent Defendants have agreed upon a method of service for the papers in support of and in opposition to their anticipated motion practice,

NOW THEREFORE, Innofone, and the Cogent Defendants, by and through their undersigned counsel, hereby stipulate as follows:

1. The Cogent Defendants shall answer or otherwise respond to the complaint on or before April 24, 2007. This extension is less than 30 days, and pursuant to Civ. L.R. 8-3, is effective upon filing.

2. If the Cogent Defendants move, they shall serve their motions on or before April 24, 2007. Innofone shall serve its oppositions to the Cogent Defendants' motions on or before May 7. The Cogent Defendants shall serve their replies in further support of their motions on or before May 14.

3. Innofone and the Cogent Defendants shall serve any papers in support or in opposition to any motion they file by email and Federal Express or similar overnight delivery service for next day/Saturday delivery. The Cogent Defendants shall email gcaine@jonesday.com and rmcleod@jonesday.com, and Innofone shall email jhaims@mofo.com and mmcdonald@mofo.com. Innofone and the Cogent Defendants shall file their papers with the Court the next day that Court is open.

IT IS SO ORDERED

Dated 4-18-07

[Signature]  
United States District Judge

1 IT IS SO STIPULATED.

2  
3 Dated: April 9, 2007

4 MARK R. MCDONALD  
5 SELIA M. ACEVEDO  
6 MORRISON & FOERSTER LLP

7 By: 

Mark R. McDonald

8 Attorneys for Defendants  
9 Cogent Capital Financial, LLC;  
10 Cogent Capital Investments, LLC;  
11 Cogent Capital Group, LLC;  
12 Gregory L. Kofford; Mark W.  
13 Holden

14 Dated: April 9, 2007

15 RODERICK A. MCLEOD  
16 GIDON M. CAINE  
17 JONES DAY

18 By: 

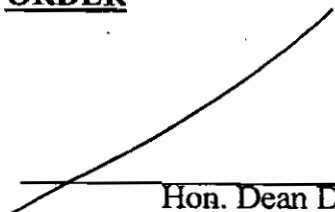
Gidon M. Caine

19 Attorneys for Plaintiff  
20 Innofone.com, Incorporated

21 IT IS SO ORDERED.

22 Dated: \_\_\_\_\_, 2007

23 ORDER

24   
25 Hon. Dean D. Pregerson  
26 United States District Judge  
27  
28

**PROOF OF SERVICE**

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 555 West Fifth Street, Los Angeles, California 90013-1024. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on April 9, 2007, I served a copy of:

**JOINT STIPULATION AND [PROPOSED] ORDER RE  
BRIEFING SCHEDULE ON DEFENDANTS' MOTION TO  
DISMISS**

☒ **BY U.S. MAIL [Code Civ. Proc sec. 1013(a)]** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows, for collection and mailing at Morrison & Foerster LLP, 555 West Fifth Street, Los Angeles, California 90013-1024 in accordance with Morrison & Foerster LLP's ordinary business practices.

I am readily familiar with Morrison & Foerster LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service, and know that in the ordinary course of Morrison & Foerster LLP's business practice the document(s) described above will be deposited with the United States Postal Service on the same date that it (they) is (are) placed at Morrison & Foerster LLP with postage thereon fully prepaid for collection and mailing.

Gidon Caine, Esq.  
Roderick A. McLeod  
Jones Day  
1755 Embarcadero Road  
Palo Alto, California 94303  
Phone: 650-739-3963  
Fax: 650-739-3900

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Los Angeles, California on April 9, 2007.

  
MELISSA M. MENDOZA